

TITLE 30—MINERAL LANDS AND MINING

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§ 1. Bureau of Mines; establishment; director; experts and other employees

There is hereby established in the Department of the Interior a bureau of mining, metallurgy, and mineral technology, to be designated the Bureau of Mines, and there shall be a director of said bureau, who shall be thoroughly equipped for the duties of said office by technical education and experience and who shall be appointed by the President, by and with the advice and consent of the Senate; and there shall also be in the said bureau such experts and other employees, to be appointed by the Secretary of the Interior, as may be required to carry out the purposes of sections 1, 3, and 5 to 7 of this title in accordance with the appropriations made from time to time by Congress for such purposes.

(May 16, 1910, ch. 240, § 1, 36 Stat. 369; Feb. 25, 1913, ch. 72, § 1, 37 Stat. 681; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of the Department of the Interior, with certain exceptions, to the Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

Bureau of Mines was originally created in the Department of the Interior. The Bureau was transferred to Department of Commerce by Ex. Ord. No. 4239, but was transferred back to Department of the Interior by Ex. Ord. No. 6611.

CROSS REFERENCES

Publications of Bureau of Mines, see section 1327 of Title 44, Public Printing and Documents.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3, 5, 6, 7, 8 of this title.

§ 1a. Transfer of activities, employees, records, etc., from Bureau of Foreign and Domestic Commerce to the Bureau of Mines

There is hereby transferred from the Department of Commerce, Bureau of Foreign and Domestic Commerce, to the Department of the Interior, Bureau of Mines, all those activities of the Minerals Division of the Bureau of Foreign and Domestic Commerce concerned with economic and statistical analyses of mineral commodities, domestic and foreign, together with all employees, records, files, equipment, publications, and funds pertaining thereto, effective immediately.

(May 9, 1935, ch. 101, § 1, 49 Stat. 205.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 2. Performance of duties in absence of Director

On and after July 1, 1916, in the absence of the Director of the Bureau of Mines the assistant director of said bureau shall perform the duties of the director during the latter's absence, and in the absence of the Director and of the Assistant Director of the Bureau of Mines the Secretary of the Interior may designate some officer of said bureau to perform the duties of the director during his absence.

(July 1, 1916, ch. 209, § 1, 39 Stat. 303; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 3. Duties of Bureau of Mines

It shall be the province and duty of the Bureau of Mines, subject to the approval of the Secretary of the Interior, to conduct inquiries and scientific and technologic investigations concerning mining, and the preparation, treatment, and utilization of mineral substances with a view to improving health conditions, and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; to investigate explosives and peat; and on behalf of the Government to investigate the mineral fuels and unfinished mineral products belonging to, or for the use of, the United States, with a view to their most efficient mining, preparation, treatment, and use; and to disseminate information concerning these subjects in such manner as will best carry out the purposes of the provisions of sections 1, 3, and 5 to 7 of this title.

(May 16, 1910, ch. 240, § 2, 36 Stat. 370; Feb. 25, 1913, ch. 72, 37 Stat. 681; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1, 5, 6, 7, 8 of this title.

§ 4. Investigation of lignite coal and peat

The Secretary of the Interior is authorized and directed to make experiments and investigations, through the Bureau of Mines, of lignite coals and peat, to determine the commercial and economic practicability of their utilization in producing fuel oil, gasoline substitutes, ammonia, tar, solid fuels, gas for power, and other purposes. The Secretary of the Interior is authorized and directed subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended

[40 U.S.C. 471 et seq.], to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this section, as soon as the experiments and investigations authorized have been concluded, and report the results of such experiments and investigations to Congress.

(Feb. 25, 1919, ch. 23, §§ 1, 2, 40 Stat. 1154; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934; Oct. 31, 1951, ch. 654, § 2(18), 65 Stat. 707.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that act relating to disposal of government property are classified to chapter 10 (§ 471 et seq.) of Title 40, Public Buildings, Property, and Works. For complete classification of this Act to the Code, see Short Title note under section 471 of Title 40 and Tables volume.

CODIFICATION

First sentence of this section is from first clause of section 1 of act Feb. 25, 1919. Second sentence is from section 2 of said act.

AMENDMENTS

1951—Act Oct. 31, 1951, inserted the reference to applicable regulations of the Federal Property and Administrative Services Act of 1949, as amended.

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 4a. Omitted

CODIFICATION

Section, act June 25, 1926, ch. 674, § 1, 44 Stat. 768, authorized appropriation of \$100,000 for fiscal year ending June 30, 1927, and the four succeeding fiscal years for investigation of potash deposits.

§ 4b. Cooperation with individuals, municipalities, etc., contracts with owners; agreements as to prices

The Secretary of the Interior and the Secretary of Commerce jointly are hereby authorized, within their discretion, to cooperate under formal agreement with individuals, associations, corporations, States, and municipalities, educational institutions, or other bodies, for the purposes of this section: *Provided*, That before undertaking drilling operations upon any tract or tracts of land, the mineral deposits of which are not the property of the United States, the Secretary of the Interior and the Secretary of Commerce jointly shall enter into a contract or contracts with the owners or lessees, or both, of the mineral rights therein, and the aforesaid contract or contracts shall provide, among other things, that, if deposits of potash minerals or oil shall be discovered in pursuance of operations under said contract or contracts and if and when said mineral deposits shall be mined and sold, the owners or lessees, or both, of said mineral rights shall pay to the Government and its cooperators a royalty of not less than 2½ per centum of the sale value of any potash minerals and oil therefrom, said payments to continue until such time as the total amount derived from said royalty is equal to not more than the cost of the exploration, as

may be determined by the Secretary of the Interior and the Secretary of Commerce jointly: *Provided further*, That all Federal claims for reimbursement under this section shall automatically expire twenty years from the date of approval of the contracts entered into, in accordance with the provisions thereof, unless sooner terminated by agreement between the owners or lessees of the potash mineral rights and oil and the Secretary of the Interior and the Secretary of Commerce jointly: *Provided further*, That said contract or contracts shall not restrict the Secretary of the Interior and the Secretary of Commerce jointly in the choice of drilling locations within the property or in the conduct of the exploratory operations, so long as such selection or conduct do not interfere unreasonably with the surface of the land or with the improvements thereof, and said contract or contracts shall provide that the United States shall not be liable for damages on account of such reasonable use of the surface as may be necessary in the proper conduct of the work.

(June 25, 1926, ch. 674, § 2, 44 Stat. 768; Mar. 3, 1927, ch. 356, 44 Stat. 1388.)

AMENDMENTS

1927—Act Mar. 3, 1927, amended provisions generally.

§ 4c. Investigation of sub-bituminous and lignite coal

The Bureau of Mines, under the general direction of the Secretary of the Interior, is authorized to conduct investigations, studies, and experiments on its own initiative and in cooperation with individuals, State institutions, laboratories, and other organizations, with a view to (1) the development of a commercially practicable carbonization method of processing sub-bituminous and lignite coal so as to convert such coal into an all-purpose fuel, to provide fertilizers, and obtain such other byproducts thereof as may be commercially valuable; (2) the development of efficient methods, equipment, and devices for burning lignite or char therefrom; and (3) determining and developing methods for more efficient utilization of such sub-bituminous and lignite coal for purposes of generating electric power.

(May 15, 1936, ch. 397, § 1, 49 Stat. 1275.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4d of this title.

§ 4d. Plants, machinery, and equipment

The Bureau of Mines is further authorized, under the general direction of the Secretary of the Interior, to erect such plants, construct and purchase such machinery and equipment, and to take such other steps as it may deem necessary and proper to effectuate the purposes of section 4c of this title.

(May 15, 1936, ch. 397, § 2, 49 Stat. 1275.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 4e. Omitted

CODIFICATION

Section, act May 15, 1936, ch. 397, § 3, 49 Stat. 1275, appropriated \$100,000 for carrying out provisions of sections 4c and 4d of this title to be expended during certain fiscal years, the last ending June 30, 1939.

§§ 4f to 4o. Transferred

CODIFICATION

Sections 4f to 4o were renumbered 451 to 460, respectively, of this title.

§ 5. Reports of investigations

The Director of the Bureau of Mines shall prepare and publish, subject to the direction of the Secretary of the Interior, under the appropriations made from time to time by Congress, reports of inquiries and investigations, with appropriate recommendations of the bureau, concerning the nature, causes, and prevention of accidents, and the improvement of conditions, methods, and equipment, with special reference to health, safety, and prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; the use of explosives and electricity, safety methods and appliances, and rescue and first-aid work in said industries; the causes and prevention of mine fires; and other subjects included under the provisions of sections 1, 3, and 5 to 7 of this title.

(May 16, 1910, ch. 240, § 3, 36 Stat. 370; Feb. 25, 1913, ch. 72, 37 Stat. 681; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1, 3, 6, 7, 8 of this title.

§ 6. Personal interest of director and members of bureau in mines

In conducting inquiries and investigations authorized under sections 1, 3, and 5 to 7 of this title neither the director nor any member of the Bureau of Mines shall have any personal or private interest in any mine or the products of any mine under investigation, or shall accept employment from any private party for services in the examination of any mine or private mineral property, or issue any report as to the valuation or the management of any mine or other private mineral property. Nothing herein shall be construed as preventing the temporary employment by the Bureau of Mines, at a compensation not to exceed \$10 per day, in a consulting capacity or in the investigation of special subjects, of any engineer or other expert whose principal professional practice is outside of such employment by said bureau.

(May 16, 1910, ch. 240, § 4, 36 Stat. 370; Feb. 25, 1913, ch. 72, 37 Stat. 682.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1, 3, 5, 7, 8 of this title.

§ 7. Fees for tests or investigations

For tests or investigations authorized by the Secretary of the Interior under the provisions of sections 1, 3, and 5 to 7 of this title, except those performed for the Government of the United States or State governments within the United States, a fee sufficient in each case to compensate the Bureau of Mines for the entire cost of the services rendered shall be charged, according to a schedule prepared by the Director of the Bureau of Mines and approved by the Secretary of the Interior, who shall prescribe rules and regulations under which such tests and investigations may be made. All moneys received from such sources shall be paid into the Treasury to the credit of miscellaneous receipts.

(May 16, 1910, ch. 240, § 5, 36 Stat. 370; Feb. 25, 1913, ch. 72, 37 Stat. 682; June 30, 1932, ch. 314, § 311, 47 Stat. 410; Ex. Ord. No. 4239, June 4, 1935; Ex. Ord. No. 6611, Feb. 22, 1934.)

AMENDMENTS

1932—Act June 30, 1932, substituted words "Secretary of Commerce" for "Secretary of the Interior" and changed a reasonable fee to be charged to a fee sufficient to compensate for entire cost of services rendered.

EFFECTIVE DATE OF 1932 AMENDMENT

Section 314 of act June 30, 1932, provided that the amendment of this section became effective July 1, 1932.

REPEALS

Section 802 of act June 30, 1932 provided: "All Acts and parts of Acts inconsistent or in conflict with those provisions of this Act [this section] which are of temporary duration are hereby suspended during the period in which such provisions of this Act [this section] are in effect. All Acts or parts of Acts inconsistent or in conflict with those provisions of this Act [this section] which are of permanent nature are hereby repealed to the extent of such inconsistency or conflict."

SEPARABILITY OF PROVISIONS

Section 801 of act June 30, 1932, provided: "If any provision of this Act [this section], or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby."

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1, 3, 5, 6, 8 of this title.

§ 8. Additional mining experiment stations and mine safety stations authorized

The Secretary of the Interior is hereby authorized and directed to establish and maintain in the several important mining regions of the

United States and the Territory of Alaska, as Congress may appropriate for the necessary employees and other expenses, under the Bureau of Mines and in accordance with the provisions of sections 1, 3, and 5 to 7 of this title, ten mining experiment stations and seven mine safety stations, movable or stationary, in addition to those established prior to March 3, 1915, the province and duty of which shall be to make investigations and disseminate information with a view to improving conditions in the mining, quarrying, metallurgical, and other mineral industries, safeguarding life among employees, preventing unnecessary waste of resources, and otherwise contributing to the advancement of these industries. Not more than three mining experiment stations and mine safety stations authorized in this section shall be established in any one fiscal year under the appropriations made therefor.

(May 3, 1915, ch. 95, § 1, 38 Stat. 959; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, upon issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 9 of this title.

§ 9. Acceptance of lands from States

The Secretary of the Interior is authorized to accept lands, buildings, or other contributions from the several States offering to cooperate in carrying out the purposes of section 8 of this title.

(Mar. 3, 1915, ch. 95, § 2, 38 Stat. 959; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 10. Headquarters of mine rescue cars; site for experimental work; leases and donations

The Secretary of the Interior is authorized to accept any suitable land or lands, buildings, or improvements that may be donated for the headquarters of mine rescue cars and construction of necessary railway sidings and housing for the same, or as the site of an experimental mine and plant for studying explosives, and to enter into leases for periods not exceeding ten years, subject to annual appropriations by Congress.

(June 5, 1920, ch. 235, § 1, 41 Stat. 912; Ex. Ord. No. 6611, Feb. 22, 1934.)

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 11. Omitted

CODIFICATION

Section, act May 9, 1938, ch. 187, § 1, 52 Stat. 329, providing that purchase of supplies and equipment or procurement of services for Bureau of Mines might be made in open market without compliance with section 5 of Title 41, Public Contracts, where amount involved did not exceed \$100, was a provision of Interior Department appropriation act and was discontinued in acts subsequent to 1938 appropriation act.

§ 12. Repealed. Oct. 25, 1951, ch. 562, § 1(16), 65 Stat. 638

Section, act Aug. 13, 1946, ch. 961, 60 Stat. 1057, related to preservation of technical and economic records of domestic sources of ores of metals and minerals, and is covered by sections 2103, 2908, and 3102 of Title 44, Public Printing and Documents.

Proc. No. 2714, Dec. 31, 1946, 12 F.R. 1; act June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381, and 1950 Reorg. Plan No. 3, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, which also had been cited as part of the source of this section, but which were not specific amendments hereof, merely affected several of the provisions, and were not themselves affected by the repeal.

§ 13. Research laboratory for utilization of anthracite coal; establishment and maintenance

The Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain a research laboratory in the anthracite region of Pennsylvania to conduct researches and investigations on the mining, preparation, and utilization of anthracite coal and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for anthracite coal and its products. Such laboratory shall be planned as a center for information and assistance in matters pertaining to conserving resources for national defense; to the more efficient mining, preparation, and utilization of anthracite coal; and pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the anthracite industry.

(Dec. 18, 1942, ch. 764, § 1, 56 Stat. 1056.)

AUTHORIZATION OF APPROPRIATIONS

Section 5 of act Dec. 18, 1942, provided that: "In order to carry out the purposes of this Act [sections 13 to 16 of this title] there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) \$450,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if no land is donated; and (b) \$175,000 annually for the maintenance and operation of the experimental station, including personal services, supplies, equipment, and expenses of travel and subsistence."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title.

§ 14. Acquisition of land; cooperation with other agencies

For the purpose of sections 13 to 16 of this title the Secretary, acting through the United States Bureau of Mines, is authorized to acquire land and interests therein, and to accept

in the name of the United States donations of any property, real or personal, and to utilize voluntary or uncompensated services at such laboratory. The Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

(Dec. 18, 1942, ch. 764, § 2, 56 Stat. 1057.)

REFERENCES IN TEXT

Section 15 of this title, included within the references in text to sections 13 to 16, of this title, was repealed by Pub. L. 86-533, § 1(17), June 29, 1960, 74 Stat. 248.

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

§ 15. Repealed. Pub. L. 86-533, § 1(17), June 29, 1960, 74 Stat. 248

Section, act Dec. 18, 1942, ch. 764, § 3, 56 Stat. 1057, related to reports to the Congress of expenditures and donations to the laboratory established under sections 13 to 16 of this title.

§ 16. Research laboratory for utilization of anthracite coal; establishment of advisory committee; composition; functions; appointment

The Secretary of the Interior, acting through the United States Bureau of Mines, may, in his discretion, create and establish an advisory committee composed of not more than six members to exercise consultative functions, when required by the Secretary, in connection with the administration of sections 13 to 16 of this title. The said committee shall be composed of representatives of anthracite coal mine owners, of representatives of anthracite coal mine workers and the public in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

(Dec. 18, 1942, ch. 764, § 4, 56 Stat. 1057.)

REFERENCES IN TEXT

Section 15 of this title, included within the references in text to sections 13 to 16 of this title, was repealed by Pub. L. 86-533, § 1(17), June 29, 1960, 74 Stat. 248.

The civil-service laws, referred to in text, are set forth in Title 5, Government Organization and Employees. See particularly, section 3301 et seq. of that title.

TRANSFER OF FUNCTIONS

See Transfer of Functions note under section 1 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory Committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the two-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such two-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory Committees established after Jan. 5, 1973, to terminate not later than the ex-

piration of the two-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such two-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title.

CHAPTER 2—MINERAL LANDS AND REGULATIONS IN GENERAL

Sec.

21. Mineral lands reserved.
- 21a. National mining and minerals policy; definition of minerals; execution of policy under other authorized programs; report to Congress.
22. Lands open to purchase by citizens.
23. Length of claims on veins or lodes.
24. Proof of citizenship.
25. Affidavit of citizenship.
26. Locators' rights of possession and enjoyment.
27. Mining tunnels; right to possession of veins on line with; abandonment of right.
28. Mining district regulations by miners; location, recordation, and amount of work; marking of location on ground; records; annual labor or improvements on claims pending issue of patent; coowner's succession in interest upon delinquency in contributing proportion of expenditures; tunnel as lode expenditure.
- 28-1. Inclusion of certain surveys in labor requirements of mining claims; conditions and restrictions.
- 28-2. Definitions.
- 28a. Omitted.
- 28b. Annual assessment work on mining claims; temporary deferment; conditions.
- 28c. Length and termination of deferment.
- 28d. Performance of deferred work.
- 28e. Recordation of deferment.
29. Patents; procurement procedure; filing; application under oath, plat and field notes, notices, and affidavits; posting plat and notice on claim; publication and posting notice in office; certificate; adverse claims; payment per acre; objections; nonresident claimant's agent for execution of application and affidavits.
30. Adverse claims; oath of claimants; requisites; waiver; stay of land office proceedings; judicial determination of right of possession; successful claimants' filing of judgment roll, certificate of labor, and description of claim in land office, and acreage and fee payments; issuance of patents for entire or partial claims upon certification of land office proceedings and judgment roll; alienation of patent title.
31. Oath: agent or attorney in fact, beyond district of claim.
32. Findings by jury; costs.
33. Existing rights.
34. Description of vein claims on surveyed and unsurveyed lands; monuments on ground to govern conflicting calls.
35. Placer claims; entry and proceedings for patent under provisions applicable to vein or lode claims; conforming entry to legal subdivisions and surveys; limitation of claims; homestead entry of segregated agricultural land.
36. Subdivisions of 10-acre tracts; maximum of placer locations; homestead claims of agricultural lands; sale of improvements.

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37. Proceedings for patent where boundaries contain vein or lode; application; statement including vein or lode; issuance of patent; acreage payments for vein or lode and placer claim; costs of proceedings; knowledge affecting construction of application and scope of patent.
38. Evidence of possession and work to establish right to patent.
39. Surveyors of mining claims.
40. Verification of affidavits.
41. Intersecting or crossing veins.
42. Patents for nonmineral lands: application, survey, notice, acreage limitation, payment.
 - (a) Vein or lode and mill site owners eligible.
 - (b) Placer claim owners eligible.
43. Conditions of sale by local legislature.
- 44, 45. Omitted.
46. Additional land districts and officers.
47. Impairment of rights or interests in certain mining property.
48. Lands in Michigan, Wisconsin, and Minnesota; sale and disposal as public lands.
49. Lands in Missouri and Kansas; disposal as agricultural lands.
- 49a. Mining laws of United States extended to Alaska; exploration and mining for precious metals; regulations; conflict of laws; permits; dumping tailings; pumping from sea; reservation of roadway; title to land below line of high tide or high-water mark; transfer of title to future State.
- 49b. Mining laws relating to placer claims extended to Alaska.
- 49c. Recording notices of location of Alaskan mining claims.
- 49d. Miners' regulations for recording notices in Alaska; certain records legalized.
- 49e. Annual labor or improvements on Alaskan mining claims; affidavits; burden of proof; forfeitures; location anew of claims; perjury.
- 49f. Fees of recorders in Alaska for filing proofs of work and improvements.
50. Grants to States or corporations not to include mineral lands.
51. Water users' vested and accrued rights; enumeration of uses; protection of interest; rights-of-way for canals and ditches; liability for injury or damage to settlers' possession.
52. Patents or homesteads subject to vested and accrued water rights.
53. Possessory actions for recovery of mining titles or for damages to such title.
54. Liability for damages to stock raising and homestead entries by mining activities.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 16 section 1907.

§ 21. Mineral lands reserved

In all cases lands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

(R.S. § 2318.)

CODIFICATION

R.S. § 2318 was from act July 4, 1866, ch. 166, § 5, 14 Stat. 86.

CROSS REFERENCES

Alabama public lands, reclassification, see section 172 of this title.

Alaska, extension of general land laws, see section 280a of Title 25, Indians.

Atomic Energy Act of 1954, source material, see sections 2091 et seq., 2097, 2098 of Title 42, The Public Health and Welfare.